

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NIPPON SHINYAKU CO., LTD.,)	
)	
Plaintiff,)	C.A. No. 21-1015 (JLH)
)	
v.)	
)	
SAREPTA THERAPEUTICS, INC.,)	
)	
Defendant.)	
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SAREPTA THERAPEUTICS, INC. and THE)	
UNIVERSITY OF WESTERN AUSTRALIA,)	
)	
Defendant/Counter-Plaintiffs,)	
)	
v.)	
)	
NIPPON SHINYAKU CO., LTD.)	
and NS PHARMA, INC.)	
)	
Plaintiff/Counter-Defendants.)	

STIPULATION OF PARTIAL DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Nippon Shinyaku Co., Ltd. and defendant Sarepta Therapeutics, Inc. (“Sarepta”) (collectively, the “Parties”) hereby stipulate to the dismissal with prejudice of Claim III (Infringement of the ’361 Patent) and partial dismissal with prejudice of Claim IX (Infringement of the ’322 Patent) with respect to claims 5 and 10 as asserted in the operative Second Amended Complaint (D.I. 86) filed in the above-referenced action.

Respectfully submitted,

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Dated: January 26, 2024

SO ORDERED this ____ day of _____, 2024

Honorable Jennifer L. Hall
U.S. District Court Judge